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**WILLKIE FARR & GALLAGHER LLP**

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May 6, 2011

FILED/ACCEPTED

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

MAY - 6 2011

Federal Communications Commission  
Office of the Secretary

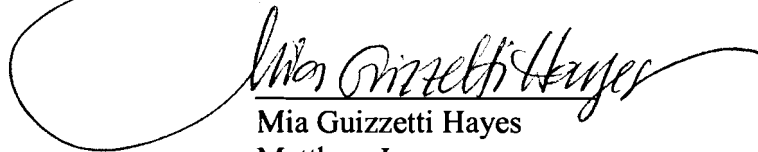
**Re: Section 63.71 Discontinuance Application of tw telecom of texas llc**

Dear Ms. Dortch:

Pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, enclosed is the application of **tw telecom of texas llc** to discontinue the Complete Dynamic ATM service in the Dallas/Fort Worth, Texas metropolitan area. Notice of the proposed discontinuance is being filed under separate cover with the International Bureau pursuant to Section 63.19 of the Commission's rules, 47 C.F.R. § 63.19.

Please contact the undersigned with any questions regarding this application.

Respectfully submitted,



Mia Guizzetti Hayes  
Matthew Jones

*Counsel for tw telecom of texas llc*

cc: Bill Dever  
Rodney McDonald

Enclosure

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
 )  
Section 63.71 Application of )  
**tw telecom of texas llc** )  
For Authority Pursuant to Section 63.71 )  
Of the FCC's Rules, 47 C.F.R. § 63.71, )  
To Discontinue the Complete Dynamic )  
ATM Service in Dallas/Fort Worth, Texas )

WC Docket No. \_\_\_\_

**FILED/ACCEPTED**

**MAY - 6 2011**

Federal Communications Commission  
Office of the Secretary

**SECTION 63.71 APPLICATION OF  
TW TELECOM OF TEXAS LLC**

**tw telecom of texas llc** ("**tw telecom of texas**"), a wholly-owned direct subsidiary of **tw telecom holdings inc.** and a wholly-owned indirect subsidiary of **tw telecom inc.**, requests authority under Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the Complete Dynamic ATM service in the Dallas/Forth Worth, Texas metropolitan area. Notice of the proposed discontinuance is being filed simultaneously with the International Bureau pursuant to Section 63.19 of the Commission's rules, 47 C.F.R. § 63.19. As required by Sections 63.71(a) and (b) of the Commission's rules, **tw telecom of texas** provides the following information in support of its discontinuance request:

**Name and Address of Carrier (47 C.F.R. §§ 63.71(a)(1), (b)(2)):**

**tw telecom of texas llc**  
Customer Care, Network Operations Center  
2342 Technology Drive, Summit 1  
O'Fallon, MO 63368

**tw telecom of texas llc**  
Corporate Headquarters  
10475 Park Meadows Drive  
Littleton, CO 80124

**Date of Planned Service Discontinuance (47 C.F.R. §§ 63.71(a)(2), (b)(2)) and Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2)):**

**tw telecom of texas** intends to discontinue the Complete Dynamic ATM service in the Dallas/Fort Worth, Texas metropolitan area on or after June 20, 2011, subject to Commission authorization to discontinue the service pursuant to 47 C.F.R. § 63.71(c).

**Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(4), (b)(2)):**

The Complete Dynamic ATM service is a flexible bandwidth bundled service consisting of local exchange service with selected features, a Long Distance and/or Toll Free usage allowance of 2,500 minutes, shared web hosting, and Internet access.

**Brief Description of the Date and Method of Notice to All Affected Customers (47 C.F.R. § 63.71(b)(3)):**

**tw telecom of texas** notified its affected Dallas/Fort Worth metropolitan area customers of the planned discontinuance of the Complete Dynamic ATM service by letter sent via U.S. mail on May 6, 2011. A copy of the customer notification letter is appended hereto as Attachment A. The letter informs affected customers that, with the required FCC approval, **tw telecom of texas** plans to discontinue the Complete Dynamic ATM service on or after June 20, 2011 and notes that each affected customer will receive a follow-up courtesy letter that specifies the date on which their access to the Complete Dynamic ATM service will be terminated.

**Regulatory Classification of Carrier (47 C.F.R. § 63.71(b)(4)):**

**tw telecom of texas** is considered a non-dominant carrier in its provision of the Complete Dynamic ATM service in the Dallas/Fort Worth metropolitan area.

**Other Information (47 C.F.R. § 63.71(b)(5)):**

Copies of this Application are being sent via First-Class U.S. Mail to the Public Utilities Commission of Texas, the Governor of Texas, and the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.

Please direct questions regarding this application to:

Mia Guizzetti Hayes  
Willkie Farr & Gallagher LLP  
1875 K Street, N.W.  
Washington, DC 20006

(202) 303-1197  
mhayes@willkie.com

**Conclusion:**

The public convenience and necessity will not be adversely affected by the discontinuance of **tw telecom of texas's** Complete Dynamic ATM service in the Dallas/Fort Worth metropolitan area. All affected customers have been given notice that affords them ample time to acquire reasonable substitute services, which are readily available in Dallas/Fort Worth and include, but are not limited to, other services offered by **tw telecom of texas**. Therefore, **tw telecom of texas** respectfully requests that the Commission approve this Section 63.71 Application to discontinue the Complete Dynamic ATM service in the Dallas/Fort Worth metropolitan area.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rochelle D. Jones", written over a horizontal line.

Rochelle D. Jones  
Senior Vice President – Regulatory  
**tw telecom holdings inc.**

Dated: May 6, 2011

# **Attachment A**



tw telecom of texas llc  
Customer Care  
2342 Technology Drive  
Summit 1  
O'Fallon, MO 63368

Insert Billing Contact Name  
Insert Company Name  
Insert Billing Address 1  
Insert Billing Address 2  
Insert Billing City, State Zip

Date: May 6, 2011

Regarding: Complete Dynamic ATM service at  
Service Address:

**Important Notice Regarding Discontinuance of  
Complete Dynamic ATM Service provided by tw telecom of texas llc**

Dear Customer,

Due to technology changes and our need to update network equipment across all regions, in the near future **tw telecom of texas llc** ("**tw telecom**") will no longer be able to provide or support the Complete Dynamic ATM service in the Dallas/Ft. Worth area. This letter serves as formal notice that, subject to the approval of the Federal Communications Commission ("FCC"), **tw telecom** plans to discontinue the Complete Dynamic ATM service at the above-referenced location on or after June 20, 2011. At a later date, we will send you a courtesy notice that will specify the date on which **tw telecom** plans to terminate your Complete Dynamic ATM service.

In order to maintain continuous service at your location, we need to begin migration of your service to another **tw telecom** service that will best benefit your business as soon as possible. Provided that the FCC approves the proposed discontinuance, as of June 20, 2011, you will no longer be able to make any moves, additions or changes to your service, and, if applicable, we will not renew your contract for the Complete Dynamic ATM service on or after June 20, 2011.

We would like to work with you to migrate your service to the Converged Services platform currently offered by **tw telecom**. Converged Services allow you to fully integrate Voice (analog lines, PRI, digital trunks) with data (VPN) and/or Internet and Security services on a single connection. Data, Internet and Voice services dynamically share all bandwidth, and the voice traffic is always prioritized over data.

I will be contacting you to assist you in selecting Converged Services or another service offering from **tw telecom** before June 20, 2011. If you wish to contact me, you may do so at the number or email provided below.

If you also subscribe to other services from **tw telecom**, those services will NOT be impacted by the anticipated discontinuance of the Complete Dynamic ATM service. Your other services will remain in place with no change to the applicable rates, terms, or conditions.

We sincerely regret any inconvenience this may cause you and your organization, but look forward to continuing our relationship and providing a new service that meets your telecommunications needs. **tw telecom** is dedicated to providing the finest business communications services and customer care available, allowing you to focus on your business. Please contact me before June 20, 2011 to talk about **tw telecom**'s Converged Services or our other communications solutions that may best fit your business.

Sincerely,

Account Rep Name  
Account Rep Title  
**tw telecom**  
Account Rep Phone  
Account Rep email

**tw telecom of texas llc is required by the FCC to provide the following statement:**

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of **tw telecom of texas llc**. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

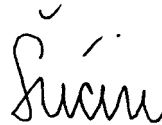
**CERTIFICATE OF SERVICE**

I, S. Anna Sucin, do hereby certify that on this day, May 6, 2011, I caused to be served a true and correct copy of the foregoing Section 63.71 Application of **tw telecom of texas llc** via First-Class U.S. Mail, postage prepaid, to the following:

Public Utilities Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, TX 78711-3326  
(512) 936-7000

Governor Rick Perry  
Office of the Governor  
P.O. Box 12428  
Austin, TX 78711-2428  
(512) 463-2000

Secretary of Defense  
Attn: Special Asst. for Telecommunications  
Pentagon  
Washington, D.C. 20301  
(703) 571-3343



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S. Anna Sucin